The A. F. of L. Weekly News Service gives a brief summary of important matters affecting labor, occurring in the industrial, legislative and judicial fields, and any other information that will benefit the trade union movement.

AMERICAN FEDERATION OF LABOR

WEEKLY NEWS SERVICE

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Quick believers heard and broke shoulders.—George Herbert.

WHOLE NO. 1077. WILLIAM GREEN, President WASHINGTON, D. C., SATURDAY, NOVEMBER 28, 1931 FRANK MORRISON, Secretary VOL. 21, NO. 38.

Prof. Nixon's "Psychological" Remedy for Business Depression

Mr. H. K. Nixon, professor of advertising in the School of Business of Columbia University, New York, urges merchants to use their advertising to inject wholesale doses of artificial industrial recovery psychology into the minds of the masses and make them forget all about the business depression.

Professor Nixon evidently believes that if business men persistently tell and keep on telling the wage earners that there is no depression, presto! the depression will be achieved and prosperity will be restored.

He conveys the idea that under the influence of this recovery "psychology," the workers will throw their reduced earnings and their charity doles right and left in a profusion that will stimulate business beyond the wildest dreams of the wildest business optimists.

Professor Nixon's advice is wrong and ill-timed.

The depression is here. It is no figment of the imagination. To attempt to deaden the workers to its existence is foolish.

Instead of resorting to deceit and sophism, business men should continue to admit the existence of the business depression.

They should do more than admit it. They should concede their own absolute and complete responsibility for it. It is axiomatic that business men and business men alone are now and have been in complete administrative control of all our business establishments, industrial, commercial, and financial.

Business principles and policies are made and enforced by business men. They cannot take credit for the achievements of business when business is good and pass the buck to "acts of God" or other forces which they allege are "beyond human control" when business is bad.

Business men should, indeed, be more than concede their responsibility for the business depression. They should join with Labor and put their shoulders to the wheel to cure it—cure it, not by psychological dope to deaden the sensibilities of the workers, as suggested by Professor Nixon, but by the adoption of constructive measures to arrest the progress of the depression.

The merchants are strategically situated and well equipped to start the wheels of business recovery with an impetus that would be hard to stop.

The hours of labor they impose on their employes are notoriously long and the wages they pay are indecently low.

Let them place their stores on the five-day week with no reduction in weekly earnings for any of their employes and a portion of the benefits of the weekly hours of labor.

This would put thousands of the unemployed to work, give all store employes a merited two days of leisure per week, and impart a morale to the distributing trade that would spread to other industries.

The merchants should also establish the shorter work week without wage cuts for Professor Nixon's morphinic psychology.

Restricted Profits to Restore Prosperity

Restricted profits in the major industries is advocated as an efficient measure to restore prosperity by Sidney H. Scheur of Scheur & Co., cloth brokers, of New York City.

Mr. Scheur points out that during the boom period preceding the depression the corporations took unheard-of large profits out of industry. These huge profits, he says, appropriated by a relatively small part of the population, seriously impaired the consumers' purchasing power. Added to that impairment, employers since 1929, by layoffs and wage cuts, have reduced the workers' buying power more than elsewhere in industry.

To meet this tremendous deflation in the purchasing power of the masses, Mr. Scheur urges the owners of our major industries to reduce their products so low as to make consumer replacement compelling. The corporations could do this, he says, by utilizing their large surpluses.

"Consumption can only be brought back if the dangerous unlimited profit policy of the past is substitually revised," Mr. Scheur said.

"We must re-educate ourselves to the principle of planfully and consciously limiting profits, especially in times of prosperity.

"For the next few years we should forget earnings and consider only employment as a barometer of our well-being.

"They must suspect and desire shrinking surpluses until the man-power of the country is again employed."

Mr. Scheur suggests a revolutionary change in our industrial system as it has been developed by Labor, industrial business men, legislation by American law, and buttressed by American judicial decisions.

The basic, the fundamental principle in our economic order is that the establishments which constitute it are owned by a relatively few individuals called stockholders and operated primarily and exclusively for their private profit.

Under this system the interests of the employed—their wages and hours—have neither legal sanction nor moral standing when they contravene to any considerable extent the profit interests of the stockholders.

Labor holds that our industrial system should be organized with the interests of the workers paramount. Mr. Scheur suggests a similar system.

The great problem before the statesmen of Labor and of Business is to effect such an economic reorganization promptly and effectively.

Labor is ready.

A Union Labor Home for the Supreme Court

The American Federation of Labor takes pleasure in announcing the new home for the United States Supreme Court in the capital of the Nation will be constructed by union labor.

The Supreme Court Building Commission, presided over by Chief Justice Charles Evans Hughes, awarded the contract for the construction of the superstructure to the George A. Fuller Co., which employs union labor. The contract cost is $4,383,000.

The home of the Supreme Court will be one of the stateliest structures in the Government's building program. It will occupy a prominent location in the framework of improvements being made around the Capitol grounds. It will be just north of the Library of Congress and fronting on First street, N. E.

The building will be 385 feet from east to west and 305 feet from north to south. The court room and the offices of the justices and court officials will be on the first floor. The second floor will be given over to the library, rooms for members of the bar, conference rooms, and a reading room.

The new home for the Supreme Court will not only be a work of architectural splendor and beauty. It will also be a deserved recognition of union craftsmanship, union hours and union wages.

Labor Improves Railroad Service

Four years ago officials of the Pennsylvania Railroad Company established a Bureau of New Ideas for the improvement of the transportation facilities of Pennsylvania system. The new ideas were to be submitted by the employes of the company.

Since the inception of the bureau, Pennsylvania employes have submitted 8,800 suggestions to better the service. Of these, company officials adopted more than 2,000 and embodied them in railroad operating.

Company officials recently awarded cash prizes for the three best suggestions adopted for the current six months period. The first prize, $100, was paid to an electrician; the second, $50, to a clerk, and the third, $25, to a conductor.

The accepted suggestions belong of course to the railroad company and are used to create profits for those who own the road.

The reports of the company do not mention suggestions for improved service made by employes of the railroad.

Evidently Labor not only does the necessary work in railroad transportation, but also provides the ideas for its improvement.

MARTINEZ CONFERS WITH AFL OFFICIALS

New Porto Rican Labor Secretary Discusses Labor Conditions on the Island

Washington, Nov. 28.—Mr. P. Rivera Martinez, secretary of the recently established Department of Labor of Porto Rico, spent a week in Washington in conference with officials connected with his department and the general economic conditions confronting the island.

He discussed the Porto Rican labor situation with President Green and Secretary Morrison of the American Federation of Labor; with Santiago Iglesias, secretary of the Pan-American Federation of Labor and a member of the Porto Rican Senate, and with Executive Director of the Cigar Makers' International Union of America.

Before coming to Washington, Mr. Martinez attended the twenty-seventh convention of the Cigar Makers' International Union as a delegate from the Porto Rican Federation of Labor.

The convention agreed to expand the Cooperative Buying Association organized by the Cigar Makers' Union two years ago for the purpose of purchasing tobacco leaf direct from the union manufacturers. Mr. Martinez believes the Cooperative Association may be of considerable assistance to Porto Rican tobacco growers.

Mr. Martinez also conferred with Ethelbert Stewart, U. S. Commissioner of Labor Statistics, who received a delegation of Porto Ricans, where, at the request of Mr. Martinez, he assisted in organizing the Division of Statistics of the Porto Rican Department of Labor in accordance with the policy of the U. S. Bureau of Labor Statistics, and with Colonel Cox, assistant chief of the Bureau of Insular Affairs, who manifested deep interest in the unemployment problem in Porto Rico, as affected by the agreement of the tobacco planters not to grow any tobacco.

The Porto Rican Department of Labor was established by the last United States Congress as part of the labor legislation for Porto Rico sponsored by the American Federation of Labor.

Eighty-five per cent of the adult population of Porto Rico are workers. Consequently Secretary Martinez's department is scheduled to become the most important public agency of the insular government to deal with the industrial and economic situation of the toil and life of the population of the Island.

$17,000,000 RELIEF ASKED IN WISCONSIN

Madison, Wis., Nov. 28.—Governor Philip F. La Follette, in a message to the special session of the Wisconsin Legislature convened to meet unemployment and other problems, recommended appropriations totaling nearly $17,000,000 for unemployment relief and strict regulation of hours of labor to create jobs.

To raise the unemployment relief fund Governor La Follette urged increased State income taxes ranging from 5 per cent to 30 per cent on the larger incomes. He also advised the legislature to impose taxes on chain stores and a 1 per cent tax on the cash income of corporations.

SHORTER WORK WEEK

"All of the latest improved machinery works of some one's brain," says J. M. Gillmore in an editorial in the Official Magazine of the International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America.

"It was invented not only that it might make for the inventors a fortune, but also that it might lift heavy burdens from off the backs of both man and beast, although no thought, seemingly, was given as to what was to become of the man and the beast that formerly did the work.

"As far as the beast is concerned that was easily remedied because stock shall not be counted but from production and quit the business, but as far as man is concerned the situation is different, as there is necessity for him to help use up what these machines produce.

"Reports show that the population of our country is increasing steadily each year, even with the immigration laws being enforced more strictly than ever before. Consequently, there seems to be but one answer—a five-day week, a five-hour day and wages sufficiently high to enable the workers to purchase and enjoy the various output of these machines, that have added, and will continue to add, each time there happens to be a business slump, or when times are bad, to the great number of unemployed."

Railway Labor Unions Refuse Wage Cut to Protect Dividends

New York, Nov. 28.—The Railway Labor Executives' Association rejected a proposal for voluntary acceptance of a 10 per cent reduction in railroad wages put forward by a committee of nine railway presidents representing rail regions in the country.

The railway presidents reported the results of the conference to the Eastern, Southern and Western regional organizations. The labor executives will make their report to a general meeting of about 1,500 persons, chairmen in Chicago on December 8.

Railways Refuse Jobless Relief

In a letter rejecting the proposal for the wage cut, D. B. Robertson, chairman of the Railway Labor Executives' Association, gave the major reason for the rejection was that the railway presidents failed to give assurance that the money saved would be used directly to "increase employment or even to stabilize existing unemployment."

Further explaining its attitude toward the proposal, the Association's letter said:

No Wage Cuts for Dividends

"More than one-third of the employes of this industry are idle and more than one-third of the capital in this industry is idle.

"You are taking nothing from the earnings of capital to support unemployment.

"You are asking that the employed workers take 10 per cent from their earnings to support idle capital.

"We submit that the first duty of the employed workers, after their duty to their dependents, is an obligation to their fellow employes who are denied an opportunity of employment."

Commenting on this paragraph, Mr. Robertson said labor was not required to pay interest on equipment kept idle for want of traffic. He added:

"We do not believe that wages should be cut to pay dividends."

TEACHERS PAID LESS THAN WAGE EARNERS

Washington, Nov. 28.—A majority of teachers in city school systems in the United States are paid salaries lower than the average annual income of all gainfully employed persons, according to a survey conducted by the National Education Association. This low pay basis obtained in spite of the fact that educational salaries have risen during the past two years.

Out of 391,000 teachers, the Association points out, more than 200,000 receive less than $2,000 annually, which is the approximate average income of all gainfully occupied persons in the United States.

FUR CONCERN SEEKS WRIT AGAINST PICKETS

Washington, Nov. 28.—An injunction to prevent the Fur Workers' Union, Local No. 21, from picketing the establishment of one of the District Supreme Court by Francke Furrier, Inc.

The concern claimed that representatives of the union walked in single file in front of its place of business carrying cards accusing the company of being unfair to organized labor. The picketing, the company said, was injuring its trade.

The petition for the injunction evidently overlooked another angle of business. It is the business of the furrier to sell his goods. It is, on the other hand, the business of the fur workers' union to inform the public that the goods are not obtainable under what the union considers as unfair conditions and to urge them not to buy the goods.

PALESTINE LABOR WEEKLY SUSPENDS PUBLICATION

Tel Aviv, Palestine, Nov. 28.—The executive committee of the General Federation of Jewish Labor in Palestine has announced suspension of the publication of the English Weekly Justice of Jewish Labor, the Palestine Labor Daily. The suspension was made necessary by the withdrawal of Mr. H. Shertok from the editorial staff of Davar to accept the labor secretaryship of the executive of the Jewish Agency in Jerusalem.

JOBLESS PAID 25 CENTS AN HOUR IN CITY WOODYARD

Washington, Nov. 28.—Twenty-five cents an hour for sawing wood will be paid the unemployed in Washington, according to the District of Columbia Committee on Unemployment. Although the Committee is a municipal government institution, its funds come from benefit shows and other forms of charity.

The municipal Woodyard was set up under the auspices of the Commissioners of the District of Columbia as a sort of penal servitude for vagrants and other "undesirables" with a view to their reformation.

The Woodyard is now being used as a relief institution for unemployed men.

For jobless workers not classified as itinerants the committee undertakes to provide a certain amount of work at 45 cents an hour in parks and playgrounds provided the laborers bring letters from two responsible citizens stating that they have lived in Washington for more than one year and that they are in need of work.

The work is performed under the direction of the Federal Office of Public Buildings and Public Parks, which is under the control of Congress. It is said that two-penny-pinchers in the Federal Government are back of the new scheme because it will decrease the expenditures for maintenance of the parks and playgrounds and thus help the administration in balancing the budget.

ROCHESTER SEEKS MILLIONS FOR UNEMPLOYMENT RELIEF

Rochester, N. Y., Nov. 28.—The Rochester Civic Committee on Unemployment will call 1,150 personal solicitors, to make a house-to-house canvass to persuade people to buy more goods to stimulate business and indirectly provide employment. The drive was expected to uncover and make available millions of dollars in hoarded money. Home owners were asked to pledge themselves to hire men for repair work.

FIVE-DAY WEEK URGED AS AID TO JOBLESS

Frayne and O'Hanlon Oppose Compulsory Insurance at New York Inquiry

JOB STABILITY SOUGHT

State and Nation Should Lead in Short Hours—2.75 Beer Proposed

New York, Nov. 28.—The five-day week, a shorter work day, and reduction in the Volstead Act to permit the manufacture of 2.75 beer were advocated as remedies for unemployment before the New York legislative commission investigating the subject by John O'Hanlon, secretary-treasurer of the New York State Federation of Labor, and Hugh Frayne, New York representative of the American Federation of Labor.

Unemployment Insurance Opposed

Both O'Hanlon and Frayne opposed compulsory unemployment insurance and said that organized labor wants industrial stabilization instead. They stressed work-sharing as a means of stimulating business, claiming that wage reductions, by diminishing the buying power of the workers, tended to aggravate the depression.

National Industrial Conference Urged

Mr. Frayne laid before the commission the suggestion for relief and prosperity recommended of the American Federation of Labor, and repeated the Federation's call for a national industrial conference of the representatives of labor, industry and the public, with the purpose to discuss means of industrial stabilization and equitable distribution of available jobs.

Five-Day Week Demanded

Mr. O'Hanlon declared that "the only remedy for coping with the problem of overproduction, technological unemployment, is the five-day week and no wage reductions." He urged that Federal, State and municipal governments start the movement for the general introduction of the five-day week by applying it in all their work. This policy, he estimated, would give jobs to between 700,000 and 800,000 persons.

Speaking in behalf of John Sullivan, president of the New York State Federation of Labor, Mr. O'Hanlon declared that the "general operation of the brewing industry would be a distinctly desirable measure of relief of unemployment."

Take Children Out of Industry

Mr. Frayne also suggested taking children under 18 years of age out of industry in order to make room for men with dependents. He said that despite child labor laws around 2,500,000 children are employed in the United States. "They should be kept at home or in school and their jobs given to those with families to support.

Mr. Frayne declared that the labor movement "has too long been operating with the idea of profit for the employers as the basis and determining factor. The time has come to consider the rights of human beings in industry as paramount."

COURT UPHOLDS RIGHT OF LABOR TO STRIKE

Baltimore, Md., Nov. 28.—Chief Judge Samuel K. Dennis, in the Circuit Court here, upheld the right of organized labor unions to refuse to work for any employer without assigning a reason for the refusal.

The decision is far-reaching in its effect, and is said to be the first of its kind given in Maryland.

Judge Dennis held that while unions actively engaged under a contract may not walk out or strike without legal justification, they are at perfect liberty to refuse to work at the expiration of the contract. The opinion in part said:

"Members of a labor union, singly or collectively, may refuse speaking individually or through their union, have an unqualified, absolute right to peacefully withhold their labor (providing no contractual relation be illegally broken) under a rule to that future from which would-be employer whatsoever."

Judge Dennis said that the rule laid down in his decision applies equally to the right of the employers to refuse, in the absence of any contract to employ labor in the future.

The opinion was handed down in the suit of Seymour Ruff & Sons, Inc., local contractors, engaged in building the new United States Post Office, against the Bricklayers, Masons and Plasterers' International Union of America.

PENNY-SAVERS AID UNEMPLOYED IN SOUTH

Atlanta, Ga., Nov. 28.—In scores of cities throughout the Southeastern States have been organized to help the jobless. In Atlanta, where the plan originated, the penny-contributions of citizens are giving regular employment to 3,000 men.

Mrs. Thomas K. Glenn, wife of an Atlanta banker, conceived the idea of asking employed Atlantans to give a penny a day for each unemployed man. Out of the fund are paid wages. This amounts to three cents a day, or twenty-five cents a week. The scheme caught on quickly.

"The Penny Club is giving $750 each week for men in the improvement and beautification of parks, school grounds, hospital grounds and other civic projects," Mrs. Glenn said.

The municipal authorities are quite elated over the scheme. It enables them to get municipal work done by charity contributions instead of taxation.

CIGAR MAKERS RE-ELECT PRESIDENT ORNBURN

Buffalo, N. Y., Oct. 28.—I. M. Ornburn was elected to succeed himself as president of the Cigar Makers' International Union of America at the first convention the union has held since its laws were changed in 1927.

The next convention will be held in Washington, D. C., in 1935.

In addition to Ornburn, the convention elected the following officers:

F. A. Grube, New Haven, first vice president; Arthur Hernandez, Tampa, second vice president; A. A. Gariepy, Montreal, third vice president; Frank Mascuilli, Newark, fourth vice president; R. E. Van Horn, Washington, fifth vice president; Sherman Milwaukee, sixth vice president; William Brandt, St. Louis, secretary-treasurer.

George W. Perkins, former president of the organization, is president of the Union Label Trades Department of the A. F. of L., which position he relegates to any new labor creation of Labor, with William Collins of Washington, President Ornburn, who is delegate ex officio.

Green Predicts 7,500,000 Jobless

Employers Plan to Discharge 1,500,000 More Workers by Next January

RELIEF FUNDS TOO SMALL

$11,000,000 Charity Against $11,000,000,000 Wage Loss Means Untold Distress

Washington, Nov. 28.—The unemployed in the United States will probably reach the astounding number of 7,500,000, was the prediction made by William Green, president of the American Federation of Labor, in making public the Federation's unemployment figures for November, based on reports received from affiliated organizations.

"Unemployment in industry has reached a new peak," President Green said. "Trade union weighted figures for the first part of November show 20.0 per cent out of work, as compared with 19.8 per cent in January last year, the highest unemployment to date.

"Our weighted figures for recent months are as follows: August, 19.2 per cent; September, 19.4 per cent; October, 19.5 per cent (revised); November (preliminary), 20.0 per cent.

November Jobless Increase Normal

"One encouraging fact appears from our figures. The increase in unemployment in November has increased no more than is usual at this season, even in the most prosperous year. In October also, the increase in industrial unemployment was no more than seasonal.

"Thus for two months in succession it appears that the acceleration in the rate of unemployment has been checked. This is the first time in two years that the rate of employment has not increased more than normally.

"Moreover, the number laid off by the first of November was less than usual. Thus the total increase in unemployment by the first part of November was less than expected by about 200,000 persons."

Some Unemployment Prevented

"This check in industrial unemployment may be due largely to efforts to keep men at work," continued President Green. "It is worthy of note, especially since trade and industry were declining during October, that it has been possible to prevent further employment from declining correspondingly. Since our figures are based on reports from trade unions, this has doubtless been due to the efforts of unions to provide for their members. Texas, the second vicinity also months since October, 1929, when unemployment did not increase more than normally.

Greatest Jobless Crisis

"Although this brightens the future outlook a little, it must be borne in the fact that the present unemployment crisis is the greatest in any we have experienced in this or any other depression in recent years. Already there are 6,000,000 out of work. The increase in industry increased by 120,000 last month, and 1,000,000 were laid off on farms (the usual November layoff is 480,000).

7,500,000 Jobless Predicted

"If unemployment increases as much in the next two months as it did in the years 1928 and 1929, on the average, we may expect from 500,000 to 1,000,000 to be laid off from farms and industries in December and from 500,000 to 700,000 in January. Unless these layoffs can be prevented by increased efforts to keep men at work, seven hundred dollars ($500.00) or imprisonment not exceeding one year and one day.

Violation—Penalty.

Sec. 18. Where an old age security recipient is convicted of an offense under Section 17, the Board may cancel the security certificate in respect to the same or any other offense may be committed.

Sec. 19. When a claimant has received a notice that his claim for a security has been denied he shall have the right to reasonably appeal before the Board to defend his claim for a security after such notice has been made to the Commission of such desire.

Forfeiture of Security.

Sec. 19. In case of forfeiture of any old age security certificate by the person whose security is so forfeited shall be entitled to make application for a grant of such property or income.

(a) Upon the death of any recipient of an old age security it is found that he was possessed of property in excess of the amount allowed by law in respect to the amount of security granted, the Board shall be paid from the funds granted in excess of that to which the recipient was by law entitled may be recovered by the Board in the proper court claim from the estate so found in excess of the amount allowed by law for funeral expenses.

(b) It is provided further that these provisions for providing old age securities shall not be construed as a vested right in the security recipient.

Medical Care Permissible.

Sec. 14. During the continuance of the old age security no recipient shall receive any other relief from the State, or from any political subdivision thereof, except for medical and surgical assistance.

Security Cannot be Assigned or Attached.

Sec. 15. **All securities shall be absolutely inalienable by any assignment, sale, power of attorney, or charge, otherwise, and in case of bankruptcy the old age security shall not pass to any trustee or other persons acting on behalf of creditors.**

Security Improperly Obtained—Inquiry.

Sec. 16. If at any time the Board has reason to believe that any security certificate has been improperly obtained it shall cause special inquiry to be made and may suspend payment of any income pending such inquiry. If, on inquiry, it appears that the certificate was improperly obtained, it shall be cancelled by the Board, but if it appears that the certificate was properly obtained, the suspended installment shall be payable in due course.

Penalty for Obtaining Security Fraudulently.

Sec. 17. Any person, who by means of a wilfully false statement or representation, or by impersonation, or other fraudulent device, obtains or attempts to obtain, or aids or abets, any person to obtain

(a) An old age security certificate to which he is not justly entitled.

(b) Any increase of such certificate amount that to which he is justly entitled.

(c) Payment of any forfeited installment grant.

(d) Or aids or abets in the buying or in any other disposition of the property of an old age security recipient, without the consent of the Board shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) or imprisonment not exceeding one year and one day.

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American Federation of Labor Old Age Security Bill

The 1931 convention of the American Federation of Labor indorsed a model old age security bill.

The bill contains progressive principles for protecting the impoverished aged.

The word "pension" has caused considerable opposition to old age pension bills. The A. F. of L. bill substitutes "security" for "pension." Under most of the bills now pending the pensions are paid by the counties. The A. F. of L. bill prescribes that the securities shall be paid by the State.

Persons 60 years of age or over are eligible for the security, which amounts to $9 per week, payable monthly.

The measure is a model bill to be presented by Organized Labor to the legislatures of the various States.

The revised text of the bill follows:

OLD AGE SECURITY

The people of the State of.....,
represented in Senate and House, do enact as follows:

Declaration of Object.

Sec. 1. The care and relief of aged persons who are in need of the same is declared to be a special matter of State concern and a necessity in promoting the public welfare. To provide such relief at public expense, a State-wide system of old age security shall be established.

Old Age Security Board.

Sec. 2. There shall be established in the State of..... a State Old Age Security Board, hereafter referred to as "The Board," to be composed of.....persons elected State officials (to be designated by the Legislature) who will serve without additional compensation during their terms of office.

Duties of Board.

Sec. 3. The Board shall perform all the duties imposed upon it by this Act and shall have authority to appoint such officers and to make such rules and regulations consistent with the provisions hereof as are necessary to carry out the provisions of this Act. The Board shall meet at such times and places as shall be fixed by its rules.

Persons Entitled to Security.

Sec. 4. Every person (man or woman) married or single, shall be entitled to a security in old age subject to the restrictions and qualifications hereinafter noted.

Amount of Security.

Sec. 5. The amount of said security shall be the amount which when added to the income of an applicant will make the total income of an applicant not to exceed nine dollars ($9.00) per week.

Conditions Necessary to Grant a Security.

Sec. 6. A security may be granted only to an applicant who,

(a) Is a citizen of the United States.

(b) **Has attained the age of sixty years or is awarded.**

(c) Resides and has his domicile in the State of....., and has so resided therein for a total period of.....years immediately preceding the date of the application for a security; provided, that continuous residence in the State for the period next preceding the date of application and quit the business, but as far as man is concerned the situation is different, as there is necessary for him to help use up what these machines produce.

(d) That the claimant is not at the time an inmate of any public institution, house, insane asylum or any other public institution or correctional institution.

Further Conditions—Death of Security Recipient.

Sec. 7. The income of the claimant from all sources of the date of application for relief shall not exceed four hundred and sixty-eight dollars ($468.00) per annum; and the value of his property or the value of the combined property of husband and wife living together shall not exceed three thousand dollars ($3,000.00).

(a) The claimant must not have derived himself, directly or indirectly, of any property for the purpose of qualifying for old age relief.

(b) The aged person must have no child, or any other person legally responsible for the support of the aged person under the laws of the State of.....fully able to support the applicant.

(c) At the death of the person to whom the security is granted or of the last survivor of a married couple, the total amount of the security since the first grant, together with three (3) per centum of interest shall be deducted and allowed by the proper courts out of the proceeds of his property as a preferred claim against the estate of the deceased so assisted, and paid by the State Treasurer to the credit of the State Relief Aid Fund, leaving the balance for distribution among the lawful heirs in accordance with law; provided, that upon sufficient cause, such as mismanagement, failure to keep in repair, or the inability to properly manage such property, that the Board may demand the assignment or transfer of such property upon the first grant of such security or at any time thereafter that it deems advisable for the purpose of safeguarding the interest of an applicant or a security certificate recipient or for the protection of the funds of the State. The Board shall establish all rules and regulations governing the care, transfer, management, and control of such property as it deems advisable, and also provide for the return of the balance of the claimant's property into its hands when the claimant is withdrawn or the claimant ceases to request it.

Method of Determining Income from Property.

Sec. 8. The annual income of any property, inclusive of a homestead, shall be computed at three (3) per centum of its determined value.

(a) In ascertaining a claimant's income and the amount of security, the income for the past preceding year shall be deemed his annual income, and the property owned at the end of that year as his accumulated property; provided, that when the claimant shows to the satisfaction of the Board the loss of personal income derived from personal property during the preceding year, the income of the preceding year in considering the amount of security to be granted.

Statement of Claimant.

Sec. 9. A claimant for an old age security under this Act shall deliver his claim in writing to such person or persons as may be authorized by the Board in the county in which the applicant is a resident, the same to be forwarded to the Board with all papers in the case, together with such recommendations as are considered consistent with the provisions and regulations of the Board, or said application may be filed with the Board.

Certificate by Commission to State Treasury.

Sec. 10. When the claim is established, and the rate of the first year's old age security is fixed, the Board shall, in the manner it may prescribe, certify same to the State Comptroller, together with the claimant's name, residence, age, the amount of weekly payments, the date of issuance, and who shall draw his order upon the State Treasury.

(a) The old age security certificate shall be required each subsequent year; to be renewed after satisfactory investigation.

Commencement of Security—Payment.

Sec. 11. The old age security shall commence from the date named in the certificate issued to the claimant. A decision shall be made within thirty (30) days after claim is filed.

(a) All old age securities shall be paid monthly by warrants drawn on the warrants, drawn on the State Aid Relief Fund thereof.

Duty of Security Certificate Recipient If Property Acquired—Recovered in Case of Death.

Sec. 12. If at any time during the currency or continuance of an old age security granted to any recipient, or the wife or husband of the recipient, becomes possessed of any property or income in excess of the amount allowed by law in respect to the amount of security granted, the Board may, on inquiry, either cancel the security or vary the amount thereof during the period of such excess, and the duty of the heirs of the recipient immediately to notify the Board of the receipt and possession of such property or income.

(a) If on the death of any recipient it is found that he was possessed of property in excess of the amount allowed by law in respect to the amount of security granted, the Board shall be paid from the funds granted in excess of that to which the recipient was by law entitled may be recovered by the Board in the proper court claim from the estate so found in excess of the amount allowed by law for funeral expenses.

(b) It is provided further that these provisions for providing old age securities shall not be construed as a vested right in the security recipient.

Medical Care Permissible.

Sec. 14. During the continuance of the old age security no recipient shall receive any other relief from the State, or from any political subdivision thereof, except for medical and surgical assistance.

Security Cannot be Assigned or Attached.

Sec. 15. **All securities shall be absolutely inalienable by any assignment, sale, power of attorney, or charge, otherwise, and in case of bankruptcy the old age security shall not pass to any trustee or other persons acting on behalf of creditors.**

Security Improperly Obtained—Inquiry.

Sec. 16. If at any time the Board has reason to believe that any security certificate has been improperly obtained it shall cause special inquiry to be made and may suspend payment of any income pending such inquiry. If, on inquiry, it appears that the certificate was improperly obtained, it shall be cancelled by the Board, but if it appears that the certificate was properly obtained, the suspended installment shall be payable in due course.

Penalty for Obtaining Security Fraudulently.

Sec. 17. Any person, who by means of a wilfully false statement or representation, or by impersonation, or other fraudulent device, obtains or attempts to obtain, or aids or abets, any person to obtain

MINER IS ACQUITTED IN HARLAN SLAYING

State, Pleading for Flag, Attacked "Red Rabble" and "Serpent" of Anarchy

Mt. Sterling, Ky., Nov. 28.—William Burnett, a coal miner, was acquitted by a jury of the murder of Jesse Peace, a deputy sheriff, in the Harlan County battle in April.

Burnett's case was the first of over forty murder cases growing out of the long strike in the coal fields of Southeastern Kentucky. The trial of Burnett also gave rise to a change of venue from Harlan County.

Burnett's defense at the trial here on murder charges growing out of a fight at Evarts, Ky., was that he was acting in self-defense in any way by any such amending or repealing Act.

Use of Masculine Pronoun.

Sec. 24. That whenever in this Act the masculine pronoun is used it shall be held to include the feminine pronoun also.

Name.

Sec. 25. This Act shall be named and cited as the Old Age Security Act of the State of.....

Repeal.

Sec. 26. All acts and parts of acts conflicting with the provisions of this Act are hereby repealed.

Sec. 27. This Act shall take effect January 1, ...; provided, however, that said Old Age Security Board shall be appointed on or before July 1, ..., and thereupon said Board shall perform all the duties required by this Act from date of said appointment.

Calls Defense a "Rabble Bunch"

"Instead of the red flag of murder, tyranny and crime, the Stars and Stripes must remain," he said. He talked of a "substantial citizenship" on one side, that of the Commonwealth, and a "rabble bunch" on the other, meaning the defense witnesses, who were chiefly miners and farmers from the coal country.